AFFIDAVIT OF SERVICE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Index Number: 07 CV 7741 (KMK)(JCF)

Date Filed 10/4/07

Plaintiff:

JEFFREY TOBIS

v.

Defendant:

CITY OF NEW YORK, et al.

To be served on INSPECTOR GERALD DIECKMANN, 25 Central Ave., Brooklyn, NY 11206.

I, ERIC SANCHEZ, being duly sworn, depose and say that on the 28th day of September at 1:27 pm, I served a true copy of the Summons and Complaint, as well as a copy of:

- 1. Individual Practices of USDJ Kenneth M. Karas;
- 2. Individual Practices of USDJ James C. Francis;
- 3. USDC/SDNY Instructions for Filing an Electronic Case or Appeal;
- 4. USDC/SDNY Procedures for Electronic Case Filing;
- 5. USDC/SDNY Guidelines for Electronic Case Filing;

to Sgt. Lemke, who is a person of suitable age and discretion at the actual place of business, described within. On 10/01/07 I deposited a true copy thereof in a post-paid wrapper bearing the legend 'Personal and Confidential', in an official depository under the exclusive care and custody of the United States Postal Service within New York State, and addressed to: **Gerald Dieckmann** at the address noted above.

Description of Person Served: Age: 40-45, Sex: M, Race/Skin Color: Caucasian American, Height: 6"0, Weight: 180, Hair: Balding, Glasses: N

I am over the age of 18, not a party to this action, and reside in the State of New York.

ERIC SANCHEZ

Sworn to before me this 2nd day of October, 2007

Un H. Noz

CLARE R. NORINS
Notary Public, State of New York
No. 02NO6126689
Qualified in Kings County
Commission Expires May 9, 20